

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARIA LYNN MELINN,

Plaintiff,

File no: 1:19-CV-416

v.

HON. ROBERT J. JONKER

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

_____ /

**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. No objections have been filed under 28 U.S.C. § 636(b)(1)(C).

NOW THEREFORE, the Report and Recommendation (ECF No.16) is hereby adopted as the opinion of the Court.

THEREFORE, IT IS ORDERED that:

Defendant Commissioner's Motion for Remand and Entry of Judgment under sentence Four, 42 U.S.C. § 405(g) is **GRANTED** subject to the following conditions:

1. Plaintiff's benefits shall be reinstated immediately back to the date they were terminated;
2. The remand is limited to whether Plaintiff continues to be disabled under sections 223(f) and 1614(a)(3)(A) of the Social Security Act, if a continuing disability review is properly initiated in accordance with regulations; and
3. The finding that Plaintiff did not engage in fraud or similar fault shall not be disturbed.

Date: February 11, 2020

/s/ Robert J. Jonker
ROBERT J. JONKER
CHIEF UNITED STATES DISTRICT JUDGE